



TRANSMITTAL FORM

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Application Number	10/616,453
Filing Date	July 8, 2003
First Named Inventor	Victor B. Kley
Art Unit	Unassigned
Examiner Name	Unassigned
Total Number of Pages in This Submission	Attorney Docket Number 020921-001612US

ENCLOSURES (Check all that apply)

- Fee Transmittal Form
- Fee Attached
- Amendment/Reply
- After Final
- Affidavits/declaration(s)
- Extension of Time Request
- Express Abandonment Request
- Information Disclosure Statement
- Certified Copy of Priority Document(s)
- Response to Missing Parts/ Incomplete Application
- Response to Missing Parts under 37 CFR 1.52 or 1.53

- Drawing(s)
- Licensing-related Papers
- Petition
- Petition to Convert to a Provisional Application
- Power of Attorney, Revocation Change of Correspondence Address
- Terminal Disclaimer
- Request for Refund
- CD, Number of CD(s)

- After Allowance Communication to Group
- Appeal Communication to Board of Appeals and Interferences
- Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
- Proprietary Information
- Status Letter

Other Enclosure(s)
(please identify below):

USPTO forms SB08A & SB08B (5 pages),
copies of 23 cited references (foreign patent & non-patent), Return Postcard.

Remarks

The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual Townsend and Townsend and Crew LLP
 David N. Slone Reg. No. 28,572

Signature

Date 9/24/03

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PATENT
Attorney Docket No.: 020921-001612US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

VICTOR B. KLEY

Application No.: 10/616,453

Filed: July 8, 2003

For: SCANNING PROBE
MICROSCOPY INSPECTION AND
MODIFICATION SYSTEM

Examiner: Unassigned

Art Unit: Unassigned

INFORMATION DISCLOSURE
STATEMENT UNDER 37 CFR §1.97 and
§1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. Copies of the foreign patent and non-patent references are enclosed. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR §1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that no fee is required for submission of this statement. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

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Application No.: 10/616,453
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PATENT



Respectfully submitted,

David Slone

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SEP 29 2003

PTO/SB/08A (08-03)

Substitute for form 1449, 6/97 TO

INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

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Sheet

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of 5

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U.S. PATENT DOCUMENTS+

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number Kind Code ² (if known)			
	1	6,353,219	03-05-2002	Kley	
	2	2002/0007667	01-24-2002	Pohl et al.	
	3	6,340,813	01-22-2002	Tominaga et al.	
	4	6,337,479	01-08-2002	Kley	
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	7	6,229,138	05-08-2001	Kley	
	8	6,229,609	05-08-2001	Muramatsu et al.	
	9	6,144,028	11-07-2000	Kley	
	10	6,101,164	08-08-2000	Kado et al.	
	11	6,066,265	05-23-2000	Galvin et al.	
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	17	5,825,670	10-20-1998	Chernoff et al.	
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	41	5,471,458	11-28-1995	Oguchi et al.	

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Examiner Name	Unassigned

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U.S. PATENT DOCUMENTS+

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		Number Kind Code ² (if known)			
	42	5,463,897	11-07-1995	Prater et al.	
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	62	5,354,985	10-11-1994	Quate	
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	81	5,254,854	10-19-1993	Betzig	
	82	5,249,077	09-28-1993	Laronga	

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TRADEMARK OFFICEINFORMATION DISCLOSURE
STATEMENT BY APPLICANT

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Complete if Known	
Application Number	10/616,453
Filing Date	July 8, 2003
First Named Inventor	Victor B. Kley
Art Unit	Unassigned
Examiner Name	Unassigned
Attorney Docket Number	020921-001612US

U.S. PATENT DOCUMENTS+

Examiner Initials*	Cite No. ¹	Document Number Number Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	83	5,241,527	08-31-1993	Eguchi	
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	99	5,081,390	01-14-1992	Elings et al.	
	100	5,072,116	12-10-1991	Kawade et al.	
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	103	5,043,577	08-27-1991	Pohi	
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	106	5,018,865	05-28-1991	Ferrell et al.	
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	117	4,681,451	07-21-1987	Guerra et al.	
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	122	4,115,806	09-19-1978	Morton	
	123	3,812,288	05-21-1974	Walsh et al.	

Examiner Signature	Date Considered
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**INFORMATION DISCLOSURE
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		Number Kind Code ² (if known)			
	124	3,586,865	06-22-1971	Baker et al.	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³	Number ⁴ Kind Code ⁵ (if known)				
	125	PCT	WO 01/03157	01-11-2001			
	126	PCT	WO 98/34092 A2	08-06-1998			
	127	PCT	WO 97/04449	02-06-1997			
	128	PCT	WO 96/03641 A1	02-08-1996			
	129	JP	7-105580	04-21-1995		yes	
	130	JP	61-133065	06-20-1986		abstract only	
	131	JP	1-262403	10-19-1989		abstract only	
	132	EP	0325056	07-26-1989			

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Examiner Name	Unassigned

Attorney Docket Number 020921-001612US

NON PATENT LITERATURE DOCUMENTS		
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.
	133	AGER et al., "Multilayer hard carbon films with low wear rates," <i>Surface and Coatings Technology</i> , 91:91-94 (1997).
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	135	DAI et al. "Nanotubes as nanoprobes in scanning probe microscopy," <i>Nature</i> 384:147-150 (1996).
	136	DAVIS "Deposition characterization and device development in diamond silicon carbide and gallium nitride thin films" <i>J. Vac. Sci. Technol. A</i> 11(4). Jul./Aug. (1993).
	137	DIAZ, D.C., et al., An Improved Fabrication Technique for Porous Silicon, <i>Rev. Sci. Instrum.</i> 64 (2), Feb. 1993, pp. 507-509.
	138	GIVARGIZOV et al "Growth of diamond particles on sharpened silicon tips" <i>Materials Letters</i> 18:(1993).
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	141	RASMUSSEN et al. "Fabrication of an All-metal Atomic Force Microscope Probe," <i>IEEE</i> (1997).
	142	ROSSOW, U., et al., Influence of the Formation Conditions on the Microstructure of Porous Silicon Layers Studied by Spectroscopic Ellipsometry, <i>Thin Solid Films</i> , 255 (1995), pp. 5-8.
	143	SMESTAD, G., et al., Photovoltaic Response in Electrochemically Prepared Photoluminescent Porous Silicon, <i>Solar Energy Materials and Solar Cells</i> , 26, pp. 277-283 (1992).
	144	TANG, William Chi-Keung, "Electrostatic comb drive for resonant sensor and actuator applications," Abstract of dissertation at the University of California at Berkeley (1990).
	145	TOLEDO-CROW et al "Near-field differential scanning optical microscope with atomic force regulation" <i>Appl. Phys. Lett.</i> 60: (1992).
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	147	WATSON et al "The Radiation Patterns of Dielectric Rods-Experiment Theory" <i>Journal of Applied Physics</i> 19: (1948).

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